

RECORD OF PROCEEDINGS

Minutes of the Riverside City Council Meeting

Held on

Thursday, July 13, 2023

Riverside, OH

CALL TO ORDER: Mayor Williams called the Riverside, Ohio, Special City Council Meeting and Work Session to order at 6:00 p.m. at the Riverside Administrative Offices, 5200 Springfield Street, Suite 100, Riverside, Ohio, 45431.

PLEDGE OF ALLEGIANCE: Mayor Williams led the pledge of allegiance.

ROLL CALL: Council attendance was as follows: Mr. Denning, present; Mrs. Franklin, present; Ms. Fry, absent (arrived at 6:07 pm); Mr. Joseph, present; Ms. Lommatzsch, absent; Mr. Maxfield, absent; and Mayor Williams, present.

Staff present was as follows: Josh Rauch, City Manager; Brian Taylor, Interim Fire Chief; Kim Baker, Finance Administrator; Nia Holt, Zoning Administrator; and Katie Lewallen, Clerk of Council.

EXCUSE ABSENT MEMBERS: Mr. Joseph moved, seconded by Mrs. Franklin, to excuse Ms. Fry, Deputy Mayor Lommatzsch, and Mr. Maxfield. All were in favor. **Motion carried.**

ADDITIONS OR CORRECTIONS TO THE AGENDA: No corrections were made.

APPROVAL OF AGENDA: Mr. Denning moved, seconded by Mr. Joseph, to approve the agenda. All were in favor. **Motion carried.**

WRITTEN CITIZEN PETITIONS: Mayor Williams stated that anyone wishing to speak can find a form in the back to fill out and hand it in to the clerk to be called upon.

NEW BUSINESS

A. RESOLUTIONS

- I) **Resolution No. 23-R-2854 – A resolution authorizing the city manager to accept a Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) in the amount of \$113,068.18 with a ten percent city match requirement of \$11,306.82, totaling \$124,375.00.**

Acting Fire Chief Brian Taylor stated the grant is for a diesel exhaust system for both fire stations. Hoses will hook up to the fire trucks and ambulances that are stored in the buildings, so that when the vehicles are started in the buildings the exhaust will be exhausted outside of the premises rather than inside. Since diesel exhaust is a known carcinogen, this is a great health and safety measure for both fire stations. The award is for \$124,375.00. FEMA will pay \$113,068.18 as a reimbursable. Mr. Rauch stated that because it is reimbursable, they may need to come back to council later this year with a supplemental ordinance that will allow them to spend the money upfront and recoup the costs later on. The net spend from the city will be \$11,306.82.

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Mr. Denning moved, seconded by Mr. Joseph, to approve Resolution No. 23-R-2854.

All were in favor. **Motion carried.**

- II) Resolution No. 23-R-2855 – A resolution authorizing the city manager to accept the U.S. Department of Transportation (DOT) Safe Streets for All (SS4A) Grant for the Woodman Corridor Study Project in the amount of \$700,000 with a twenty percent city match requirement of \$175,000, totaling \$875,000.**

Mr. Rauch stated they were awarded funding for the Safe Streets For All through the Federal Highway Administration. This is a \$700,000 reimbursable grant to reimagine the Woodman corridor from Springfield Street to US-35. This authorizes the city to execute their side of the agreement and proceed with the Montgomery County Transportation Improvement District (TID) and city consultants to begin that study process and deliver the action planning grant for this project. They may have a scope change with the TID that will come their way in the next month or two. This will align the work with this grant.

Mr. Denning moved, seconded by Mr. Joseph, to approve Resolution No. 23-R-2855.

Mr. Rauch explained that the city has worked with the TID in the past on the preliminary design with Springfield Street at Woodman and Harshman wall repairs. The TID will continue the work but under the expanded scope under the whole corridor. Mr. Joseph asked about the \$175,000. Mr. Rauch stated they are going to use monies previously budgeted for wall repairs for most of that match. A little bit will come out of pocket, but not a lot.

Ms. Fry arrived at 6:07 pm.

All were in favor. **Motion carried.**

WORK SESSION:

A) Land Use Plan – Ms. Holt stated that there have been two minor changes since the Land Use Plan booklet has been provided to council. An updated letter from the city manager, and they moved one label on the map on page 35. Mrs. Franklin asked about the map that had brackets indicated “Overlay District” and what that meant. Ms. Holt explained that is a special zoning district for Valley Street. When they update the zoning code, it can be a special corridor or business district. Valley Street is a unique area having industrial, residential, and commercial right next to each other. Mrs. Franklin asked if they would include an overlay district in the new zoning. Ms. Holt replied yes. There is existing overlay in the most recent update with the water protection overlay for all areas in the source water protection area. Mr. Rauch stated it is that type of an overlay as well as a lot of the discussion in that document about zoning in general. These are the kinds

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of things they will have ready when they proceed to the next step of the process using the plan as the basis for looking hard at the zoning code, and what they need to do with the code to bring the plan to life.

Ms. Fry asked how they anticipate the timing and the steps in the plan. Ms. Holt stated that in the back of the plan it has recommended steps: short term, medium term, and long term. They need to look at the budget for possibly bringing on a consultant to look at the code and see if they need to change it from their traditional code with different districts and what is permitted by use or to a form based code that looks at design over uses. They have already started doing some things like a stormwater utility fee. Ms. Fry asked if they planned to proceed by checking items off the list. Mr. Rauch stated that they would check off items, but they would have this as a standing item at work sessions. He added that in the first quarter of the year they would review what they are prioritizing for the year. There are some processes that will take years to do. They would like to knock out quick wins but continue to stay abreast of the more complex work and continue talking about the plan with council.

Mayor Williams stated that now that there is an updated plan, it will not just go on a shelf. Council needs to protect the investment of the time, energy, and money that went into this plan and updating where they are as a community. It will take more investment to get a zoning code rewrite. He hopes as a council they will not shy away from necessary investments in things like consultants that will work with staff to move them forward as a community. Mrs. Franklin stated to make this new plan and not build on it would be a loss. Mr. Rauch stated that many staff have a sense of pride and ownership in this product and have a sense of ownership. Their goal is to continue to prioritize it and give council touchpoints on where they need to make those investments and move forward from there. He stated in September they have a partnership with ClearGov that will put together the budget book and transparency pieces; he is also plugging in council's strategic plan into that. They can additionally do the same thing with the land use plan. They will use this to make it public facing and transparent as to where the city is with plan implementation and what is coming next.

Mr. Joseph asked as they have continual touch bases with the action items on the plan, would it make sense to attach a goal date on those items. Mr. Rauch stated the ability to prioritize and talk about that work has to include those elements. The ClearGov tool will help to show that as it provides a progress indicator on why they may be delayed or ahead of schedule. If they don't do that, then they will lose the accountability. Ms. Holt stated it is a community effort and will be working with the planning commission and the BZA. This plan is just the beginning. Ms. Fry stated to set expectations that while the plan should last five to ten years, they also need to realize that they don't necessarily have the resources to do everything. She asked what they can expect from the plan in the first five years. Mr. Rauch replied that the immediate value they gain is the baseline vision, the reference point for any future development. It helps them make more

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informed decisions about the city's assets. On the other side, a reasonable expectation is to get the code in a place where they can really support themselves in the business community, and the residents, to create the community envisioned in the plan. Those are two chunks that are the most long lasting in regard to impact on the community. They are immediate and complex. Discussion continued on development in the community and future goals. Mr. Rauch added that they are already starting to do the work. When they got the SS4A grant award, they were asked to provide the land use plan as part of the process because if they are going to do it, then they have to build the roads, infrastructure, and accessibility into the physical infrastructure to attract residents, businesses, and investments. They are already starting the process. This is a synergy of what they are doing falling in line.

B) Text Amendment – Chapter 1105 Development Procedures – Ms. Holt stated they have been working hard to rework what they can. They are looking at the development chapter; this is what she works with everyday along with the planning commission and BZA. This chapter has all the procedures for rezoning, conditional uses, site plans, and notifications. This rewrite tightens up notifications and making that consistent with how it actually works. The code indicates they have five days to turn around and review; however, that is really not realistic. It is now updated for 10 business days, so they can review and dig into the information provided to ensure there is good development in Riverside. They are also looking at appeals that go before the BZA. No longer can an applicant appeal because they do not like the decision made. Now, they will have to cite the code and grounds for their appeal. Mr. Rauch asked how long this has been in front of planning commission. Ms. Holt stated they have been working on it for about nine months. They looked at other cities and their processes. She added that there is an addition for neighborhood meetings as they want to make sure the community is involved in the process, and they have a voice when it comes to specific developments. Before a developer submits their application to the city, they have to host a neighborhood meeting close the development site at a location that has enough room for the people they will invite. Once they have the meeting, they can submit their application. They also will require pre-application meetings to walk them through the process and provide clarity. Mr. Rauch added that it is basically best practice that is happening in communities across the country. Discussion was held on people not knowing what was happening in their community and how this can rectify that.

Mr. Joseph stated he was cautious of council going to the community meetings and then being asked how they feel about a particular development prior to the developer coming to the city. Ms. Holt stated the meeting is a chance for the neighborhood to ask questions of the developer and the developer to share their initial plan. Mayor Williams stated one such meeting was held around Thanksgiving last year on Spaulding Road. He was asked if he was going to attend. He stated he was not because this was for the neighbors and the potential private property owner; it is not for the city council to be involved at this point. The meeting a developer has with the community may cause a

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modification to the initial plan before the city is even involved. Ms. Holt added that as part of the application, developers must put in the questions that were asked at the community meeting and how they responded. Mr. Joseph asked if someone from the city would be at those meetings. Mr. Rauch stated by the code they are not required. He added that from a staff perspective, he does not want to put staff in a position where they could color the outcome of the situation or because they are there it will take on a different tone. The purpose of the meeting is to create a touch point between the developers and the neighborhood and to build a relationship, and if the neighborhood has concerns about a development, what is a good way for them to work together to come to a consensus to accommodate one another. Staff presence may make it seem more official than it really is. Ms. Holt stated that during the preapplication meeting it tells the applicant how to run their meeting. Mr. Rauch stated they are asking developers to take this step to make sure they are comfortable going forward. There are several touchpoints for the community to share their side of what happens at the community meeting with the city. Ms. Holt added that once they submit the application, those records of the meeting become public record.

C) Upcoming Assessments – Mr. Rauch stated at the August meeting they will be bringing a series of assessments to them for approval: annual street lighting, roadwork on Lynnhaven/Meyer, and roadwork on Honeyleaf. He stated the county has changed their process for the ordinances. One ordinance will be done on Honeyleaf as no one asked for a hardship extension to pay over 10 years. There will be an ordinance for a five-year repayment on Lynnhaven/Meyer and an ordinance for a 10-year repayment on Lynnhaven/Meyer. Discussion was held on the deadline for assessments to be turned in to the county. Mr. Denning asked when the lights would be up on Beatrice. Mr. Rauch stated he will ask Ms. Bartlett where they are in the process.

D) City Manager Updates – Mr. Rauch stated that earlier this year they became members of the Ohio Benefits Collaborative and appointed Ms. Myers and Mr. Lohr to be representatives. Since they are no longer with the city, they will need to appoint someone else, so a resolution stating the HR Manager will be the representative with the city manager being the alternate will be forthcoming. He stated that the crack sealing and the guard rail resolutions will be at the next meeting. The last resolution with ODOT regarding Spinning Road will also be forthcoming; this resolution finalizes the amount the city is likely to pay. He stated the fire chief recruitment deadline is July 21, 2023. There is a solid applicant pool; they are on track to have someone selected by early fourth quarter. He added that Ms. Lewallen is out of the office next week and asks for grace as he will be running the meeting for both city council and planning commission. Mayor Williams asked if any of the assessments would be emergencies or if they will get the two readings. Mr. Rauch stated they have enough time to do the two readings.

COUNCIL MEMBER COMMENTS: Mr. Denning hoped everyone had a great 4th of July.

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He thinks many neighbors are getting together and doing their fireworks away from the pets. Interim Fire Chief Taylor stated they had no incidents reported outside of the day-to-day work.

Mayor Williams stated that letters are now arriving at homes regarding the aggregation and asked the city manager to explain that, briefly. Mr. Rauch stated SOPEC selected AEP as the energy provider. AEP is rolling out letters in batches as there are many customers in the city. They will be doing this throughout the month. The letter describes the rate SOPEC negotiated, just north of .07. The market rate is around .10 or .11. If you receive a letter and don't opt out of aggregation, residents will then expect to see some savings on their electricity bill. No action is required to receive this, but if a resident wants to opt out of this, then the letter explains how to do this along with the numbers needed to call. The rate is locked in for over a 22-month period. The next time they go out to bid, they will bid at the same time as larger cities thus making the bidding pool much larger to get a competitive rate. The gas aggregation will be coming at a later date.

EXECUTIVE SESSION: Mr. Denning moved, seconded by Mr. Joseph, to enter into Executive Session for the following: 103.01(1) Unless the City employee or official requests a public hearing; to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a city employee or official or the investigation of charges or complaints against a City employee or official. Roll call went as follows: Mr. Denning, yes; Mr. Joseph, yes; Mrs. Franklin, yes; Ms. Fry, yes; and Mayor Williams, yes. Council entered Executive Session at 6:50 pm.

RECONVENE: Council reconvened at 7:39 pm.

ADJOURNMENT: Mr. Denning moved, seconded by Mrs. Franklin, to adjourn. All were in favor. **Motion carried.** The meeting adjourned at 7:40 pm.



Pete Williams, Mayor



Clerk of Council